

ASSEMBLY BILL

No. 1118

Introduced by Assembly Member Umberg

February 22, 2005

An act to add Chapter 5 (commencing with Section 10000) to Division 3.6 of the Vehicle Code, relating to vehicles.

LEGISLATIVE COUNSEL'S DIGEST

AB 1118, as introduced, Umberg. Motorized vehicles: disclosure.

Existing law imposes various disclosure requirements on the sale of motor vehicles and vehicles by licensed dealers, as defined.

This bill would require a person who sells at retail a two-wheeled motorized vehicle, commonly known as a "pocket bike," that is not stamped or affixed with a 17-digit vehicle identification number in conformance with federal regulations, and the operation of that motorized vehicle on the highways would violate safety equipment requirements, to notify the purchaser, either verbally or in writing, that it is illegal to operate that motorized vehicle on a highway because of specified reasons.

Because a violation of this provision would be a crime, this bill would impose a state-mandated local program.

The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.

This bill would provide that no reimbursement is required by this act for a specified reason.

Vote: majority. Appropriation: no. Fiscal committee: yes.
State-mandated local program: yes.

The people of the State of California do enact as follows:

SECTION 1. Chapter 5 (commencing with Section 10000) is added to Division 3.6 of the Vehicle Code, to read:

CHAPTER 5. DISCLOSURE REQUIREMENTS

10000. (a) A person who sells at retail a two-wheeled motorized vehicle, commonly known as a “pocket bike,” that is not stamped or affixed with a 17-digit vehicle identification number in conformance with Title 49 of the Code of Federal Regulations, and the operation of that motorized vehicle on a highway would violate subdivision (b) of Section 24002, shall notify the purchaser, either verbally or in writing, that it is illegal to operate that motorized vehicle on a highway because of the following:

(1) The motorized vehicle does not have the required safety equipment for operation on a highway.

(2) The Department of Motor Vehicles will not register the motorized vehicle.

(b) The definitions in this code of a motorcycle, a motor-driven cycle, a motorized bicycle, and a motorized scooter do not apply to a two-wheeled motorized vehicle, commonly known as a “pocket bike,” that is subject to this section.

SEC. 2. No reimbursement is required by this act pursuant to Section 6 of Article XIII B of the California Constitution because the only costs that may be incurred by a local agency or school district will be incurred because this act creates a new crime or infraction, eliminates a crime or infraction, or changes the penalty for a crime or infraction, within the meaning of Section 17556 of the Government Code, or changes the definition of a crime within the meaning of Section 6 of Article XIII B of the California Constitution.